THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12811 of 2006

Dated: 27.06.2006

Between:

M. Ammanna Sastry, S/o Venkataramaiah, R/o Plot No.32, Soubhagyanagar Colony, L.B. Nagar, Hyderabad.

.... PETITIONER

AND

A.P. Transmission Corporation Ltd., rep. by its Chairman and Managing Director, Vidyut Soudha, Khairatabad, Hyderabad.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12811 of 2006

Order:

The petitioner states that his date of birth is 01.07.1946 and the same was entered in his service record, and as per the said date, he would attain the age of superannuation on 30.06.2006. While so, the petitioner states that the Divisional Electrical Engineer (Operation) APTRANSCO, Nidadavole, issued Memo, dated 16.03.1995, intimating that his date of birth is changed as 01.07.1945 as per the revised instructions of APSEB in Memo dated 28.01.1987, and based on the said revised entry in his Service Register, the Personnel Officer of APTRANSCO issued Memo, dated 30.06.2005 retiring him from service from 30.06.2005.

It is the case of the petitioner that he having been retired from service on 30.06.2005, came to know that the then APSEB in continuation to the instructions issued in Memo dated 28.01.1987, issued another Memo dated 02.01.1990, revising the instructions, and as per the said revised instructions, the entries of date of birth made in the Service Registers of the Board employees prior to 05.11.1984, were directed to be taken as final and dates of superannuation have to be decided on that basis. The petitioner states that his date of birth 01.07.1946 as entered in the Service Register, at the time of his entry into service on 30.09.1964, attained finality, and cannot be altered, inasmuch as the entry was made prior to 05.11.1984, the cut off date as per Memo dated 02.01.1990.

The petitioner states that in terms of the above Memo dated 02.01.1990, he submitted representation dated 03.12.2005 requesting the respondent authorities to reinstate him into duty forthwith by paying him salaries from 30.06.2005 till the date of reinstatement to duty, as he was retired prematurely without following the latter instructions issued vide Memo dated 02.01.2990, and allow him to continue in duty till his actual date of superannuation i.e., 30.06.2006, but the respondent authorities have not taken any action till date. Hence, he filed the present writ petition seeking to direct the respondent authorities to consider his representation dated 03.12.2005 and pass appropriate orders.

Inasmuch as the representation dated 03.12.2005 of the petitioner is said to be pending consideration before the respondent authorities, the learned counsel for the petitioner as well as the learned Standing Counsel for the respondent-Corporation agreed for disposal of the writ petition with the following direction.

The respondent-Corporation is directed to consider the representation dated 03.12.2005 of the petitioner and pass appropriate orders thereon in the light of the Memo dated 02.01.1990, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 27.06.2006
Nsr/Ksr